

1.98(a)(3) because it did not include a concise explanation of the relevance of each patent listed that is not in the English language. Specifically, the Examiner stated that Japanese Patent Documents 62-153482 and 62-153483 were not considered because they did not contain a concise explanation of the relevance of these two patent documents. In response to the above-noted comments of the Examiner, Applicants submit herewith a new Form PTO-1449 that lists the publication dates of the four Japanese patent references listed thereon. In addition, Applicants have attached a copy of an Inpadoc electronic search report to the IDS which shows that Japanese Patents 62-153482 and 62-153483 claim priority of Japanese Patent applications JP 294696 and JP 294697, and that U.S. Patent 4,790,226 claims priority of the above-mentioned Japanese Patent Applications 294696 and 294697. Thus, Applicants respectfully assert that U.S. Patent 4,790,226 provides the concise explanation of the relevance of Japanese Patents 62-153482 and 62-153483 required by 37 C.F.R. § 1.98(a)(3).

The Examiner rejected claim 2 under 35 U.S.C. § 101 as being a substantial duplicate of claim 1. In response, claim 2 has been cancelled, thereby rendering moot the rejection under 35 U.S.C. § 101.

Claims 31-33 were objected to under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In response, Applicants have amended claim 31 to depend from claim 30. As such, claims 31-33 are deemed to satisfy the requirements of 37 C.F.R. § 1.75(c) and are otherwise allowable.

Claims 21-22 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, claim 21 has been amended to depend from claim 20. In view of the above-mentioned amendment to claim 21, claims 21-22 are now deemed to satisfy the requirements of 35 U.S.C. § 112, second paragraph, and are otherwise allowable.

In the Final Office Action mailed March 14, 2000, claims 1-8 and 11 are objected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 1,343,079 to *Fegley et al.* In response, claims 1 and 2 have been cancelled and replaced by new claims 38 and 39. New claim 38 recites, in part, that the "cutting edge of said cutting blade remains substantially parallel to the

substantially flat cutting surface during movement along the movement axis." The limitation that the "cutting edge of said cutting blade remains substantially parallel to the substantially flat cutting surface" is shown, *inter alia*, in Figures 7A-7C. New claim 38, which includes substantially all of the limitations of cancelled claim 1, is fully supported by the specification and introduces no new matter. This limitation is neither taught nor suggested by *Fegley* which shows in Figure 6 thereof that the blade 11 pivots about one end and into a non-parallel relationship with the top of base 1. New claim 39 and claims 3-8 and 11-37 are also allowable, *inter alia*, by virtue of their dependence from new claim 38. The other references cited by the Examiner do not overcome the deficiencies notes in *Fegley*.

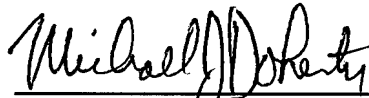
Applicants have amended the Abstract of the Disclosure presently on file and substituted therefor a new Abstract of the Disclosure which more accurately reflects the scope of new claim 38.

The specification has been amended at page 4, line 38 and page 20, line 7, to more clearly set forth the limitations shown in Figures 7A-7C, namely, that the cutting edge of said cutting blade remains parallel to the substantially flat cutting surface while moving along the movement axis.

If there are any fees in connection with this Preliminary Amendment, the Examiner is authorized to charge our Deposit Account No. 12-1095 therefor.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP



Michael J. Doherty
Reg. No. 40,592

600 South Avenue West
Westfield, NJ 07090-1497
Telephone: (908) 654-5000
Facsimile: (908) 654-7866
259871_1.DOC